

Dear Senator and Representatives,

Please, the current and future citizens of Walpole need your help. On Monday, November 2, 2020 the Walpole ZBA heard testimony from developers who are pushing a 300 unit project on Summer Street in South Walpole. The Developer is pushing for the hearing to be closed on November 10, 2020, but due to the pandemic, there has been very little time allowed for the public to give comments, and we have not had the chance to hear from all peer reviewers. We are very concerned for current residents of Walpole and future residents, who will be moving into this complex once it has been completed. There are legitimate safety concerns regarding contaminated soil in an adjacent superfund lot, concerns of water contamination that will affect the entire town, and safety concerns regarding traffic due to the location of the complex. This Development is enormous, and does not fit into the character of historic South Walpole. This is not an appropriate place to build a gigantic housing complex. The current 40B law requires that, if the applicant is no longer willing to grant a time extension for testimony to be heard the ZBA, the ZBA must close the hearing and begin the process of deliberating and issuing a decision. The ZBA would have 40 days to issue the extension in normal circumstances. However, with the current COVID guidelines we are operating under the ZBA would have 45 days after the termination of the state of emergency to issue a decision. The attached legislation that is pending at the state house, would amend the 45 day requirement and insert the following words, "December 1, 2020, unless such date is extended by a waiver from the secretary of housing and economic development (Section 19)." I am begging you PLEASE do not allow this language to move forward. This language is signaling to developers that they can take advantage of the situation created by the pandemic and skirt local processes by creating a fast track option for review at the Housing Appeals Committee, effectively removing local review from these projects. We are Walpole residents. It was completely out of our control that Covid happened and the State shut down for 3 months preventing any hearings. We need assurance that this language will not become law. We, as citizens, should not be taken advantage of.

Thank you,
Sharon McCarthy
28 Concord Dr.
South Walpole, MA 02071

HOUSE DOCKET, NO. 5307 FILED ON: 9/30/2020
HOUSE No.5014
The Commonwealth of Massachusetts

OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
STATE HOUSE · BOSTON, MA 02133 (617) 725-4000
CHARLES D. BAKER GOVERNOR
KARYN POLITO LIEUTENANT GOVERNOR
September 30, 2020
To the Honorable Senate and House of Representatives,

I am filing for your consideration a bill entitled “An Act Making Appropriations for Fiscal Year 2020 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects.”

Amid the COVID-19 pandemic, tax revenue collections in Fiscal Year 2020 (FY20) fell short of budgeted estimates by approximately \$693 million. Sales taxes constituted more than half of this shortfall (\$436 million, or 6%, below benchmarks), primarily reflecting lower economic activity during the pandemic and, to a lesser extent, the deferral of tax obligations for smaller businesses. Non-withheld income taxes were also below benchmarks, as were other categories such as taxes on motor fuels. Overall, however, the shortfall was less severe than some had feared. With businesses and employees adapting wherever possible to remote work, and buoyed by unemployment insurance, income tax withholdings ended the year on benchmark.

Outside of taxes, the budget picture was a complicated mix of puts and takes. Certain non-tax revenue, such as gaming revenue, fell short of budgeted forecasts. Spending in many areas of the budget slowed down, as COVID-19 prevented budgeted activity. Spending directly related to the COVID-19 response spiked in the spring, generally supported by federal aid. The Commonwealth has been able to use federal funds for the payroll of public health and public safety employees after the federal government determined that, as a group, these employees’
1 of 20

duties were substantially redirected to COVID-related measures. A temporarily higher federal reimbursement rate for MassHealth also helped mitigate the budget impacts of a difficult spring. I am pleased to report that we do not need to draw funds from the Stabilization Fund to close FY20. The Stabilization Fund has grown more than threefold from the \$1.1 billion projected year-end balance for Fiscal Year 2015 as of the beginning of this Administration to \$3.5 billion today thanks to a disciplined approach to budgeting. This landmark balance is a testament to many years of concerted effort in partnership with the Legislature.

In this bill, I am recommending that certain capital gains taxes collected during FY20 remain in the General Fund and not be added to the Stabilization Fund balance, in order to have a sufficient balance to support appropriations extended into FY21. A supplemental appropriations bill enacted in July modified the usual approach to closing this fiscal year. Specifically, it allows the General Fund not to carry a balance to back appropriations extended into Fiscal Year 2021 (FY21), based on a reasonable expectation that, in FY21, the spending would be supported by federal revenue. While there was logic to this approach, it is not standard and would require formal disclosure to investors of a negative undesignated balance for years to come. The proposed changes will allow us to close FY20 more cleanly while also reducing the impact of FY21 tax shortfalls.

This bill proposes \$424 million in supplemental appropriations, at a net state cost of \$197 million. Almost all these costs authorize payments made by MassHealth. (The only other item is a debt service ceiling that needs to be increased as an accounting adjustment.) MassHealth costs in FY20 exceeded budgeted expectations by \$422 million gross, \$197 million net (exclusive of short-term enhanced Federal Financial Participation), as the direct costs of the COVID-19 pandemic exceeded the short-term savings associated with deferred non-urgent care. MassHealth operates jointly under federal and state authority, so the appropriations here are required to reconcile state spending authorization with payments previously made under federal superseding authority.

I further recommend continuing \$108 million in existing FY20 authorizations into FY21. Over half of this amount, \$63 million at the Group Insurance Commission, would use an FY20 surplus to cover the future costs of public employee and retiree health care deferred due to COVID-19. This and other “PAC” recommendations generally account for delays in incurring costs that were anticipated in the development of the FY20 budget, but now appear likely to occur in FY21. Further, I am recommending several policy changes. These include a clarification to the Paid Family Medical Leave Act (“PFMLA”) relative to the employer responsibilities of the Commonwealth to personal care attendants and family child care providers. The bill also includes a section to allow extended emergency appointments when civil service hiring cannot be completed due to the inability to offer medical exams or physical aptitude tests. Other

sections allow the University of Massachusetts to access a short-term line of credit for operating costs and authorize the Department of Environmental Protection (“DEP”) to issue electronic notices of non-compliance. Currently, DEP is only authorized to issue written notices that do not reflect the transformation of DEP operations to more modern electronic formats.

An additional change would establish an end date of December 1, 2020 for a provision signed into law earlier this year that allowed municipalities to delay public hearings for applications for permits or approvals for construction projects. The original law had the desired effect and provided needed flexibility to municipalities when it was necessary earlier this year.

Drawing from legislation that I have previously filed, I am re-filing sections that would allow the Massachusetts Bay Transportation Authority (“MBTA”) limited use of capital funds for employee costs. This section has been engrossed by both branches of the Legislature this session and I am respectfully requesting that it be included in this supplemental budget due to its critical importance for the MBTA’s operating budget.

Further, I am including a section that would only allow transportation network companies (“TNCs”) to implement surge pricing during a state of emergency upon the approval of the TNC Division of the Department of Public Utilities (“DPU”).

I am also filing a section that would permit the repurposing of appropriated funds relative to the Merrimack Valley gas explosion expenses to allow for preparation and responses to natural disasters and events.

I also take this opportunity to ask that you act on a number of previously filed matters that remain pending before the Legislature, including:

- a new trust fund for the Massachusetts Emergency Management Agency (“MEMA”), funded through natural reversions, that would bolster MEMA’s ability to respond swiftly to natural disasters;
- a section to allow the Sexual Assault Nurse Examiner program at DPH to be self-sustaining by charging fees for the services it provides;
- additional authority for DPH to license and regulate long-term care facilities, including the authority to restrict or suspend a license for cause rather than only when an imminent risk of harm exists;
- a proposal that would allow the Department of Conservation and Recreation (“DCR”) to enter into leases for the installation of solar and energy structures on certain parcels under the control of DCR; and
- amendments to the Massachusetts hemp statute to align with federal law.

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Office of the Secretary

4000-0700 MassHealth Fee for Service Payments.....\$422,000,000

SECTION 2B. To provide for supplementing certain intragovernmental chargeback authorizations in the general appropriation act and other appropriation acts for fiscal year 2020, to provide for certain unanticipated intragovernmental chargeback authorizations, to provide for an alteration of purpose for current intragovernmental chargeback authorizations, and to meet certain requirements of law, the sum set forth in this section is hereby authorized from the Intragovernmental Service Fund for the several purposes specified in this section or in the appropriation acts, and subject to the provisions of law regulating the disbursement of public funds for the fiscal year ending June 30, 2020. This sum shall be in addition to any amounts previously authorized and made available for the purposes of this item.

OFFICE OF THE TREASURER AND RECEIVER GENERAL

0699-0005 Revenue Anticipation Notes Premium Debt Service RR.....\$1,726,500

SECTION 2C.I. For the purpose of making available in fiscal year 2021 balances of appropriations which otherwise would revert on June 30, 2020, the unexpended balances of the appropriations listed below, not to exceed the amount specified below for each item, are hereby re-appropriated for the purposes of and subject to the conditions stated for the corresponding item in section 2 of chapter 41 of the acts of 2019. However, for items that do not appear in section 2 of the general appropriation act, the amounts in this section are re-appropriated for the purposes of and subject to the conditions stated for the corresponding item in section 2 or 2A of this act or in prior appropriation acts. Amounts in this section are re-appropriated from the fund or funds designated for the corresponding item in section 2 of said chapter 41; provided,

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however, that for items which do not appear in section 2 of said chapter 41, the amounts in this section are re-appropriated from the fund or funds designated for the corresponding item in section 2 through 2E of this act or in prior appropriation acts. The sums reappropriated in this section shall be in

0321-0100

0340-0600

0710-0000 0710-0200 0710-0225 0710-0300

addition to any amounts available for said purposes. JUDICIARY

Board of Bar Examiners

Board of Bar Examiners.....\$40,000 DISTRICT ATTORNEYS

Northwestern District Attorney

Northwestern District Attorney.....\$540,000 OFFICE OF THE STATE

AUDITOR

Office of the State Auditor Administration.....\$285,000 Bureau of Special

Investigations.....\$280,000 Medicaid Audit

Unit.....\$120,000 Enhanced Bureau of Special

Investigation.....\$90,000

MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION

0940-0100 Massachusetts Commission Against Discrimination.....\$150,000

BOARD OF LIBRARY COMMISSIONERS 7 of 20

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7000-9101

Board of Library Commissioners.....\$80,000 OFFICE OF THE CHILD

ADVOCATE

1599-0054 1599-2018

1108-5200

1450-1200

2000-1012 2000-1013

Office of the Secretary

Environmental Industry Grants.....\$43,550 Dams and

Culverts.....\$300,000

Office of the Child Advocate.....\$250,000

0930-0100

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Reserves

Hinton Lab Response Reserve.....\$750,000 Merrimack Valley Explosion
Reserve.....\$4,723,866

Group Insurance Commission

Group Insurance Premium and Plan Costs.....\$62,632,041

Health Policy Commission

Health Policy Commission.....\$300,000

Human Resources Division

1750-0928

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

Civil Service and Physical Abilities Exam Space.....\$408,767

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2330-0300

2511-0100 2511-0103

9110-1637 9110-9002

Department of Fish and Game

Saltwater Sportfish Licensing\$100,000

Department of Agricultural Resources

Agricultural Resources Administration.....\$300,000
Cannabis and Hemp Agricultural Oversight.....\$1,400,000 EXECUTIVE OFFICE OF
HEALTH AND HUMAN SERVICES

Department of Elder Affairs

Home Care Aide Training Grant Program.....\$711,947 Grants to Councils On
Aging.....\$250,000

Department of Public Health

Sexual Assault Nurse Examiner (SANE) and PediatricSANE Program

4510-0810\$720,000

4590-1503

Pediatric Palliative Care.....\$45,000

Massachusetts Rehabilitation Commission

Vocational Rehabilitation for People with Disabilities.....\$378,000

Independent Living Assistance.....\$66,800 EXECUTIVE OFFICE OF
HOUSING AND ECONOMIC DEVELOPMENT

Department of Housing and Community Development

4120-2000 4120-4000

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7004-9031

7008-1024

EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT

7002-1080 7003-0151 7003-0607

3000-1000 3000-1020

Learn to Earn.....\$108,000 Registered Apprenticeship

Expansion.....\$201,145 Employment Program for Young Adults with
Disabilities.....\$68,000

EXECUTIVE OFFICE OF EDUCATION

Department of Early Education and Care

Department of Early Education and Care.....\$323,000 Quality

Improvement.....\$112,000

Department of Elementary and Secondary Education
 8000-0600
 Office of the Secretary
 Executive Office of Public Safety.....\$588,000
 Department of Criminal Justice Information Services
 Accessible Affordable Housing Grants.....\$2,698,841
 Massachusetts Marketing Partnership
 Massachusetts Restaurant Commission.....\$1,900,000
 Special Education Circuit Breaker Reimbursement.....\$11,910,774
 7061-0012

EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

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 105 8100-1014 106
 107 8324-0000
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 109 8700-0001
 110 8700-1150
 Criminal Justice Information Services.....\$551,955
 Department of State Police
 SAEK Testing.....\$6,641,043
 Department of Fire Services
 Department of Fire Services Administration.....\$772,440
 Military Division
 Military Division.....\$200,000 National Guard Tuition and Fee
 Waivers.....\$4,206,817 Welcome Home Bonus Life Insurance Premium
 Reimbursement
 111 8700-1160
 112\$1,102,677
 113 SECTION 2C.II. For the purpose of making available in fiscal year 2021 balances of
 114 retained revenue and intragovernmental chargeback authorizations which otherwise would
 revert
 115 on June 30, 2020, the unexpended balances of the authorizations listed below, not to exceed
 the
 116 amount specified below for each item, are hereby re-authorized for the purposes of and
 subject to
 117 the conditions stated for the corresponding item in section 2 or 2B of chapter 41 of the acts
 of
 118 2019. However, for items which do not appear in section 2 or 2B of said chapter 41, the
 amounts
 119 in this section are re-authorized for the purposes of and subject to the conditions stated for
 the
 120 corresponding item in section 2, 2A, or 2B of this act or in prior appropriation acts. Amounts
 in

121 this section are re-authorized from the fund or funds designated for the corresponding item
in

122 section 2 or 2B of the general appropriation act; however, for items which do not appear in
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section 2 or 2B of the general appropriation act, the amounts in this section are re-authorized
from the fund or funds designated for the corresponding item in section 2, 2A, or 2B of this act
or in prior appropriation acts. The sums re-authorized in this section shall be in addition to any
amounts available for those purposes.

OFFICE OF THE COMPTROLLER

1000-0601 Chargeback for HRCMS Functionality.....\$325,772 EXECUTIVE

OFFICE FOR ADMINISTRATION AND FINANCE

Human Resources Division

1750-0102 Civil Service and Physical Abilities Exam Fee RR \$325,411

SECTION 3. Section 16 of chapter 21A of the General Laws, as appearing in the 2018 Official
Edition, is hereby amended by inserting, in lines 14 and 18, after the word “written,” in each
instance, the following words:- or electronic.

SECTION 4. Said section 16 of said chapter 21A, as so appearing, is hereby further amended by
striking out, in line 56, the words “a written,” and inserting in place thereof the following
words:- or by electronic means a.

SECTION 5. Section 31 of chapter 31 of the General Laws, as so appearing, is hereby amended
by adding the following paragraph:-

Upon a federal or governor declared state of emergency or a declaration by the governor that an
emergency exists which is detrimental to the public health, the personnel administrator may,
upon written request of an appointing authority, consent to an additional extension of

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143 emergency appointments without limit on duration. The personnel administrator shall revoke
144 any emergency appointment granted under this paragraph when the underlying
circumstances

145 resolve. No emergency appointment of more than 30 working days, or renewal of an
emergency

146 appointment, shall be made without the consent of the administrator.

147 SECTION 6. Section 2 of chapter 75 of the General Laws, as so appearing, is hereby
148 amended by striking out, in line 1, the words “the major” and inserting in place thereof the
149 following words:- (a) the major.

150 SECTION 7. Said section 2 of said chapter 75, as so appearing, is hereby further
151 amended by adding the following subsection:-

152 (b) (1) The university, acting through the trustees, may borrow money to be applied to
153 working capital expenses in furtherance of the purposes of the university or to refinance
such

154 borrowing, and such borrowing may include without limitation the ability to pledge or
assign or

155 create security interests in funds or revenues of the university to pay or secure such working
156 capital borrowings; provided, that all outstanding amounts borrowed on any line of credit
157 entered into by the university pursuant to this subsection shall be repaid no later than 365
days

158 from the date of closing of said line of credit.

159 (2) The university may initiate any borrowing authorized pursuant to this subsection only
160 upon a request made by authority of the trustees and upon written approval from the
secretary of

161 administration and finance.

162 (3) The senior vice president and treasurer for the university, in consultation with the
163 executive director of the University of Massachusetts Building Authority, established
pursuant to

164 chapter 773 of the acts of 1960 as amended, shall report annually not later than January 15th
to

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165 the house and senate committees on ways and means; the house and senate committees on
166 bonding, capital expenditures and state assets; and the chairs of the joint committee on
higher

167 education on the total amount borrowed from any line of credit during the prior year and the
168 dates of repayment authorized pursuant to this subsection as well as any working capital as
169 described in the first sentence of section 3 of said chapter 773 and authorized pursuant to
170 paragraph (e) of section 4 of said chapter 773.

171 SECTION 8. Section 2 of chapter 159A1/2 of the General Laws, as so appearing, is hereby
172 amended by striking out subsection (e) and inserting in place thereof the following new
173 subsection:-

174 (e) A transportation network company and driver shall not, unless approved to do so by
175 the division, raise base fares, impose additional charges or otherwise increase the price that a
176 rider is charged for transportation network services, including by imposing surge pricing or
other

177 formulas based on increased demand, during a federal or a governor-declared state of
178 emergency.

179 SECTION 9. Section 20 of chapter 161A of the General Laws as so appearing, is hereby
180 amended by striking out, in line 26, the words “bond funds” and inserting in place thereof
the

181 following words:- proceeds of commonwealth general obligation bonds.

182 SECTION 10. Section 1 of chapter 175M of the General Laws, as amended by section 17
183 of chapter 5 of the acts of 2019, is hereby further amended by striking out the definition of
184 “Covered individual” and inserting in place thereof the following definition:-

185 “Covered individual”, either: (i) an employee who meets the financial eligibility
186 requirements of subsection (a) of section 24 of chapter 151A; provided, however, that all
such

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187 employment shall have been with an employer in the commonwealth; (ii) a personal care
188 attendant, as defined in section 70 of chapter 118E, whose wages from working as a personal
189 care attendant meet the financial eligibility requirements of subsection (a) of section 24 of
190 chapter 151A; (iii) a family child care provider, as defined in subsection (a) of section 17 of
191 chapter 15D, whose payments from working as a family child care provider meet the
financial

192 eligibility requirements of subsection (a) of section 24 of chapter 151A; (iv) a self-employed
193 individual: (A) who has elected coverage under subsection (j) of section 2; and (B) whose
194 reported earnings to the department of revenue from self-employment meet the financial
195 eligibility requirements of said subsection (a) of said section 24 of said chapter 151A as if
the

196 individual were an employee; (v) a covered contract worker: (A) for whom at least 1
employer or

197 covered business entity is required to remit contributions to the Family and Employment
198 Security Trust Fund pursuant to section 6; and (B) whose payments from such employer or
199 covered business entity satisfy the financial eligibility requirements of said subsection (a) of
said

200 section 24 of said chapter 151A as if the covered contract worker were an employee; or (vi)
a

201 former employee who has: (A) met the financial eligibility requirements of said subsection
(a) of

202 said section 24 of said chapter 151A at the time of the former employee’s separation from
203 employment; provided, however, that all such employment shall have been with an
employer in

204 the commonwealth; and (B) been separated from employment for not more than 26 weeks at
the

205 start of the former employee’s family or medical leave.

206 SECTION 11. Said section 1 of said chapter 175M is hereby further amended by striking
207 out the definitions for “Employee” and “Employer” and inserting in place thereof the
following

208 two definitions:-

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209 “Employee”, shall have the same meaning as provided in clause (h) of section 1 of
210 chapter 151A; provided, however, that notwithstanding said clause (h) or any other special
or

211 general law to the contrary and solely for the purposes of section 6 and the notice provisions
of

212 subsections (a) and (b) of section 4 of this chapter, “employee” shall include (i) a personal
213 care
214 attendant, as defined in section 70 of chapter 118E; and (ii) a family child care provider, as
215 defined in subsection (a) of section 17 of chapter 15D.
216 “Employer”, shall have the same meaning as provided in subsection (i) of section 1 of
217 chapter 151A; provided, however, that an individual employer shall be determined by the
218 Federal Employer Identification Number; provided further, that notwithstanding any general
219 or
220 special law to the contrary, the PCA quality home care workforce council established in
221 section
222 71 of chapter 118E shall be the employer of personal care attendants, as defined in section
223 70 of
224 said chapter 118E, solely for the purposes of section 6 of this chapter and consumers, as
225 defined
226 in section 70 of said chapter 118E, shall be considered the employers of personal care
227 attendants
228 solely for the purposes of the notice requirements of subsections (a) and (b) of section 4 and
229 subsection (d) of section 8 of this chapter; provided further that, notwithstanding any general
230 or
231 special law to the contrary, the department of early education and care shall be the employer
232 of
233 family child care providers, as defined in subsection (a) of section 17 of chapter 15D, solely
234 for
235 the purposes of section 6 and the notice provisions of subsections (a) and (b) of section 4 and
236 subsection (d) of section 8 of this chapter; and provided further, that any employer not
237 subject to
238 this chapter may become a covered employer under this chapter by notifying the department
239 of
240 family and medical leave and completing the procedure established by the department; and
241 provided further, that a municipality, district, political subdivision or its instrumentalities
242 shall
243 not be subject to this chapter unless it adopts this chapter under section 10.
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SECTION 12. Section 6 of said chapter 175M , as most recently amended by sections 20 to 22 of chapter 5 of the acts of 2019, is hereby further amended by inserting after subsection (a) the following subsection:-

(a)1/4) Notwithstanding any general or special law to the contrary, for the purposes of this section, the PCA quality home care workforce council established in section 71 of chapter 118E shall be the employer of personal care attendants, as defined in section 70 of said chapter 118E, and the department of early education and care shall be the employer of family child care providers, as defined in subsection (a) of section 17 of chapter 15D.

SECTION 13. The first sentence of paragraph (d) of section 1 of chapter 773 of the acts of 1960, as most recently amended by section 10 of chapter 319 of the acts of 1998, is hereby amended by adding after the word “preparation” the following words:- , and shall mean working capital and any other property described in the first sentence of section 3.

SECTION 14. The second sentence of said paragraph (d) of said section 1 of said chapter 773, as appearing in section 2 of chapter 684 of the acts of 1963, is hereby amended by adding after the word “appurtenances” the following words:-, and shall also mean said working capital and any other property described in the first sentence of section 3.

SECTION 15. Section 3 of said chapter 773, as most recently amended by section 13 of chapter 267 of the acts of 1995, is hereby further amended by inserting after the word “structures” the following words:- , and working capital and tangible and intangible personal property,.

SECTION 16. Paragraph (e) of section 4 of said chapter 773, as appearing in section 5 of chapter 684 of the acts of 1963, is hereby amended by inserting after the word “trustees;” the

254 first time it appears, the following words:- ; to provide working capital and any other property

255 described in the first sentence of section 3, in each case upon written request made by authority

256 of the trustees; provided, that all outstanding amounts borrowed on any line of credit entered into

257 shall be repaid no later than 365 days from the date of closing of said line of credit.

258 SECTION 17. Item 1599-2018 of section 2A of chapter 273 of the acts of 2018 is hereby
259 amended by adding the following words:- ; and provided further, that funds may be expended for

260 the Massachusetts emergency management agency to respond to any natural disaster or
261 emergency event and to prepare for any future events.

262 SECTION 18. Item 1000-0008 of section 2 of chapter 41 of the acts of 2019 is hereby
263 amended by striking out the words “5 per cent” and inserting in place thereof the following
264 words:- 23.7 per cent.

265 SECTION 19. Paragraph (ii) of subsection (b) of section 17 of chapter 53 of the acts of

266 2020 is hereby amended by striking out the words “45 days after the termination of the state
of

267 emergency, or by a date otherwise prescribed by law, whichever is later” and inserting in
place

268 thereof the following words:- December 1, 2020, unless such date is extended by a waiver
from

269 the secretary of housing and economic development as set forth in subsection (d).

270 SECTION 20. Said subsection (b) of said section 17 of said chapter 53 is hereby further
271 amended by striking out paragraph (iv) and inserting in place thereof the following
paragraph:-

272 (iv) when a statute, ordinance, bylaw, rule or regulation provides that a permit shall be
273 considered granted, approved or denied, constructively or otherwise, due to a failure of the
274 permit granting authority to act within a specified time period, the time within which the
permit

275 granting authority must act shall be deemed tolled from March 10, 2020 to December 1,
2020;.

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276 SECTION 21. The first sentence of paragraph (v) of said subsection (b) of said section 17
277 of said chapter 53 is hereby amended by striking out the words “more than 45 days after the
278 termination of the state of emergency or after a date otherwise prescribed by law, whichever
is

279 later” and inserting in place thereof the following words:- a date later than December 1,
2020,

280 unless an alternate deadline has been approved by the secretary of housing and economic
281 development pursuant to subsection (d).

282 SECTION 22. Said subsection (b) of said section 17 of said chapter 53 is hereby further
283 amended by striking out paragraph (vii) and inserting in place thereof the following
paragraph:-

284 (vii) a hearing on a pending application for a permit opened by a permit granting
285 authority before March 10, 2020, which has not been concluded as of March 10, 2020 or has
286 been continued by the permit granting authority as of March 10, 2020, shall be automatically
287 tolled and continued to a date selected by the permitting granting authority but the date may
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288 no event be later than December 1, 2020;.

289 SECTION 23. The second sentence of subsection (c) of said section 17 of said chapter 53
290 is hereby amended by striking out the words “as long as the state of emergency is in effect
and

291 for a period of 60 days following the termination of the state of emergency” and inserting in
292 place thereof the following words:- until December 1, 2020.

293 SECTION 24. Subsection (d) of said section 17 of said chapter 53 is hereby amended by
294 adding the following sentence:- Permit granting authorities that are (i) unable to conduct
295 meetings and public hearings remotely due to lack of access to broadband or other technical
296 limitations, and (ii) unable to conduct such meetings or hearings in person in accordance
with

297 applicable public health orders regulating gatherings during the state of emergency, may apply to
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the secretary of housing and economic development for relief from the deadlines provided in paragraphs (ii), (iv), (v) and (vii) of subsection (b) for good cause shown.

SECTION 25. Subsection (d) of section 99 of chapter 124 of the acts of 2020 is hereby amended by striking out the first sentence.

SECTION 26. Notwithstanding any general or special law to the contrary, the comptroller shall not make any transfers attributable to capital gains tax collections required pursuant to section 5G of chapter 29 of the General Laws during fiscal year 2020.

SECTION 27. Except as otherwise specified, this act shall take effect upon its passage.

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